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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/703,517	10/31/2000	Ara Bicakci	FAIR-07500	1876

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EXAMINER

KOSTAK, VICTOR R

ART UNIT	PAPER NUMBER
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2611

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DATE MAILED: 09/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/703,517

Applicant(s)

Bicakci

Examiner

Victor Kostak

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 8-11, 22, 40-42, and 44-46 is/are rejected.
- 7) ☒ Claim(s) 3-7, 12-21, 23-39, and 43 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 3 and 5 6) ☐ Other: _____

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1. Claim 25 is objected to because of the following informalities: the claim should end in a single period. Appropriate correction is required.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 11, 40-42 and 44-46 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 11 recites a feature that "may" be included, which is indefinite because the system either has the feature or does not (thereby describing two mutually exclusive embodiments depending on the inclusion or exclusion of that feature).

Claims 40-42 and 44-46 have ambiguous scope and their subject matter indefinite because their dependencies seem incorrect. Claim 40 should depend from claim 32, claim 41 from claim 40, claim 42 from claim 41, claim 44 from claim 32, and claims 45 and 46 from claim 11.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 8 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Morimoto.

The system of Morimoto (particularly noting Figs. 1, 4 and 11) involves determining a time delay (shift) occurring in an output signal from terminal 2; converting or interpreting the time delay data into a value α to which a phase shift value is assigned; and applying a correction value to a waveform generator 25 according to the phase shift (note also col. 2 lines 12-16 and lines 50-54; col. 3 lines 30-36; and col. 9 line 53 - col. 10 line 33), thereby meeting claim 1.

As for claim 2, the time shift is done on a line-by-line basis (e.g. col. 2 lines 50-54).

As for claim 8, the phase correction is ultimately used to correct the output waveform of the signal initially applied to input 2.

Regarding claim 9, the phase correction value is applied to the waveform block 25 per each line.

4. Claims 10, 11, 22, 45 and 46 are rejected under 35 U.S.C. 102(b) as being anticipated by Oh (provided by applicant).

The time base corrector of Oh (noting Figs. 2, 4 and 8) stabilizes the chrominance subcarrier wherein the circuit includes a clock generator 33 or 38; a digital phase detector 26 or

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27; a digital loop filter 30; a waveform generator 25; and phase correction block arrangement of elements 30-33, thereby meeting claim 10.

As for claim 11, Figs. 4 and 6 show circuit arrangements which generate serial signals from parallel processes.

As for claim 22, digital lop filter 30 (detailed in Fig. 8) includes two different K values in different respective paths.

Regarding claim 45, the output of the phase correction block is applied to waveform generator 25.

As for claim 46, output of either serializer mentioned above is ultimately indirectly coupled to waveform generator 25.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is informed that the additional references are also applicable to the rejected claims, as well as Otaki cited by applicant.

6. Claims 3-7, 12-21 and 23-44 appear allowable over the prior art.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor R. Kostak whose telephone number is (703)-305-4374. The examiner can normally be reached on Monday through Friday from 6:30am to 4:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew I. Faile, can be reached on (703) 305-4380. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone (703) 306-0377.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (For either formal or informal communications intended for entry. For informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Victor R. Kostak

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Primary Examiner



VRK

9/15/03